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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/839,742

04/20/2001

Xiaobao X. Chen

14/20

1776

22046

7590

11/02/2004

LUCENT TECHNOLOGIES INC.

DOCKET ADMINISTRATOR

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HOLMDEL, NJ 07733

EXAMINER

HO, DUC CHI

ART UNIT

PAPER NUMBER

2665

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/839,742

AK

Applicant(s)

CHEN, XIAOBAO X.

Examiner

Duc C Ho

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2001.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-3, 5, 6 and 10 is/are rejected.  
7) ☒ Claim(s) 4 and 7-9 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 06-03-02.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

**Claim Rejections - 35 USC § 103**

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-3, 5-6, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trillium Digital systems, Inc. (Third Generation (3G) wireless; White Paper- IDS records), hereinafter referred to as TDS.

Regarding claim 1, TDS discloses a 3G wireless system that allows an individual to have immediate access to location-specific services that offer information on demand.

*at least one primary network unit (the BSC-fig. 2) capable of supporting a plurality of secondary network units ( a plurality of BTS-fig. 2) each capable of supporting a plurality of mobile users (each BTS supports a plurality of mobile users), the primary and secondary network units communicating across a circuit switched interface (the Abis interface between the BSC and the BTS is known as a circuit switched interface),*

TDS does not disclose expressly in figure 2 *means to provide an Internet Protocol tunnel between a primary network unit and a secondary network unit which it supports.*

TDS in figure 3 illustrates a system in which an interconnection between a RNC (BSC) and a node B (BST) is over "lub". The "lub" interface based on IP-over-ATM (IP tunnel) technology, see the text at figure 3.

One skill in the art would recognize the advantage of using the "lub" interface based on IP-over ATM, or IP tunnel into the system in figure 2 in order to address emerging user demands and to provide new services.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the system in fig. 2 with the system in fig. 3.

The motivation for doing so would have been to provide new services such as the transport of data services in a mobile environment in conjunction with the increased use of the Internet as an acceptable source for information distribution and retrieval.

Therefore, it would have been obvious to combine the system in figure 3 with the system in figure 2 to obtain the invention as specified in claim 1.

Regarding claim 2, in TDS the primary network unit is a BSC-fig. 2 and the secondary network unit is a BST.

Regarding claim 3, in TDS the primary network unit is a RNC-fig. 3 and the secondary network unit is a Node B.

Regarding claim 5, in TDS the traffic between the BTS and BSC is provided with reliable transport associated with packet classification for QOS and Class Of Service, see entire page at --- 5. Evolution to 3G Wireless Technology---

Regarding claim 6, the Abis interface is a circuit switched interface.

Regarding claim 10, in TDS the circuit switched interface is an interface between a RNC and a Node B in a third generation mobile telecommunications network.

***Allowable Subject Matter***

3. Claims 4, and 7-9 are objected to as being independent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hjelm et al. (US 5,978,368); Galyas et al. (US 6,205,157) are cited to show supporting IP on Abis interface, which is considered pertinent to the claimed invention.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Ho whose telephone number is (571) 272-3147. The examiner can normally be reached on Monday through Friday from 7:00 am to 3:30 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (571) 272-3155.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

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The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner

  
Duc Ho

10-26-04